

# City of Gloucester Community Preservation Act

## APPLICATION AND PROJECT REVIEW INFORMATION

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### APPLICATION AND REVIEW SCHEDULE

In 2014, the Committee will follow this schedule:

Project Eligibility Forms due	January 31, 2014
Completed Applications due	March 14, 2014
<b>Estimated</b> Project Award	October 1, 2014

CPC recommendations are reviewed by the Mayor and approved by the City Council. The City Council approval process takes a **minimum** of two meetings of the Council. This timeframe cannot be accurately predicted; therefore the project award date above is only the committee's best estimate and subject to change.

The CPC may, under highly extraordinary circumstances, vote to accept applications that, because of market opportunities or other deadlines, require consideration outside of the normal funding cycles. Potential applicants who believe that their circumstances call for such unusual action may contact the CPC Chair to discuss the possible submission of an off-cycle submission.

### APPLICATION AND REVIEW PROCESS

The following describes the CPC's procedures for reviewing and recommending proposals, and the City's procedures for final approval and funding.

This section also details the precise information that the CPC needs in order to evaluate projects fully and to set priorities among them. Applicants who submit a late or incomplete application should expect the CPC to return the application for completion and resubmission at a future funding round.

The CPC supports the spirit and intent of state procurement and equal opportunity laws. All applicants will be evaluated in the same manner in accordance with the goals of the Community Preservation Act.

#### Step 1- Determine Project Eligibility

Due to the complexity of the CPA, the CPC requires all project applicants to begin the application process by submitting a one-page **Project Eligibility Determination Form**. Do not submit the full application until the Project Eligibility Determination Form has been submitted and approved.

Applicants should refer to the Community Preservation Fund Allowable Spending Purpose when filling out the Project Eligibility Determination Form. This information is available from the Department of Revenue and contains the most up-to-date information on both the definitions of the four CPA program areas (Open Space, Historical Preservation, Community Housing, and Recreation), and the allowed uses of CPA funds in the four areas.

Project Eligibility Determination Forms must be submitted at least 45 days in advance of the application deadline. Please submit one paper or one electronic copy to:

Community Preservation Committee  
c/o The Community Development Department  
3 Pond Road  
Gloucester MA 01930  
[dlaurie@gloucester-ma.gov](mailto:dlaurie@gloucester-ma.gov)

The CPC will review Project Eligibility Determination Forms. Applicants will be notified as soon as possible whether their project is eligible for CPA funds.

Applicants with questions may contact the Community Development Department, Grants Division, at their office at 3 Pond Road, Gloucester (978-282-3027, ext #2). Information is also available on the City of Gloucester website at [www.gloucester-ma.gov](http://www.gloucester-ma.gov).

If the applicant is a private individual or organization applying for CPA funds that involve working on city owned property, you must contact Mark Cole, Assistant DPW Director, to discuss project feasibility and recommendation. You may contact Mark at 978 281 9785 or [mcole@gloucester-ma.gov](mailto:mcole@gloucester-ma.gov).

## **Step 2 - Submit Completed Application.**

Please review both the **Requirements for Submission** and **Application Instructions** before beginning an application. Once submitted, an application may not be amended without a vote of the committee.

- Each project funding application must be submitted using the "Project Application Cover Sheet." Additional pages should be added as necessary.
- Applicants should **submit 12 paper copies of the application, double-sided, plus an electronic copy.**
- Submit applications to:

Community Preservation Committee  
c/o The Community Development Department  
3 Pond Road  
Gloucester MA 01930  
[dlaurie@gloucester-ma.gov](mailto:dlaurie@gloucester-ma.gov)

## **Step 3 - Community Preservation Committee Review and Public Comment**

**1. Application Review:** The CPC will review submitted applications on the basis of the General Evaluation Criteria and the Category Specific Evaluation Criteria for funding included in the Community Preservation Plan. All applicants should review the General Evaluation and Category Specific Criteria.

The CPC may request additional or more detailed information, and further clarifications to the submitted proposals. The CPC may request a legal opinion to help it assess CPA project eligibility and to provide answers to any other questions that the Committee may have.

**2. Project Review Meetings:** The CPC may ask applicants or their representatives to meet with the CPC to discuss questions that members might have regarding their applications.

**3. Public Comment Session:** Although members of the public may attend and speak at all meetings of the committee, the date of a formal Public Comment Session will be specified during each funding round. Applicants are encouraged to invite their supporters to attend this session.

**4. Notification:** The CPC will notify applicants of its decisions concerning recommendations.

**5. Committee Recommendations:**

- a. The CPC will make its final recommendations for funding to the Mayor for submission to the City Council.
- b. The CPC reserves the right to attach conditions and to require additional agreements, such as preservation guarantees, as part of a funding recommendation.
- c. The CPC may recommend a project as proposed by the applicant, or may modify the project, or it may recommend partial funding or funding for only a portion or phase of the proposed project. The CPC's recommendations may include detailed project scopes, conditions, and other specifications, as the CPC deems appropriate to ensure CPA compliance and project performance.
- d. If the applicant is a private individual or organization applying for CPA funds that involves working on city owned property, the CPA Committee will also include in their recommendation to the Mayor that the project must also be accepted by the City Council to approve the acceptance of goods and services on city land for their project. This will involve being referred by the City Council to their Planning and Development Committee. If the City Council does not approve the project work on city owned property, then the project cannot be awarded funds.
- e. If the project on city owned land includes construction, then prevailing wages will be required. You may contact Donna Compton, Purchasing Agent, at 978 281 9710 or [dcompton@gloucester-ma.gov](mailto:dcompton@gloucester-ma.gov).

## **Step 4 - Mayoral Recommendation and City Council Vote**

The Mayor will send the CPC's recommendations to the City Council. City Council has the final authority to award funds from Gloucester's Community Preservation Act Fund. The City Council may approve; approve with a lower level of funding; or reject recommendations. Members of the public may speak in favor of or against specific recommendations at the public session preceding each Council meeting.

## **Step 5 - Award Letter**

The CPC will issue award letters for projects approved by City Council, with information on the funding amount, funding conditions, project modification as voted by City Council (if any), Community Preservation staff contact information, and guidelines for project execution. Projects receiving CPA funding will be required to credit this source of funding in promotional materials and, whenever appropriate, at the project location. Signs indicating CPA support will be made available through the CPC.

## Step 6 - Disbursement and Monitoring of Funds

CPA monies are public funds raised from dedicated Gloucester tax revenues and from State subsidies. Projects financed with CPA funds must comply with all applicable State and municipal requirements. Funds are administered and disbursed by the City of Gloucester.

For questions about procurements and other financial requirements and procedures applicants should contact the Purchasing Agent, Donna Compton, at 978- 281-9710.

Project oversight, monitoring, and financial control are the responsibility of the CPC or its designee. Questions in these areas should be directed to Debbie Laurie, Community Preservation Act Senior Project Manager via email at [dlaurie@gloucester-ma.gov](mailto:dlaurie@gloucester-ma.gov) or by calling 978-282-8004.

The CPC will require quarterly project status updates from CPA Fund recipients. The purpose of such updates is to track the progress of funded projects, and identify issues that may assist future applicants.

## REQUIREMENTS FOR SUBMISSION

The following requirements should be followed in preparing an application for CPA funding.

- Application packages are available at the Community Development Department, Grants Office, 3 Pond Road, Gloucester, and online at [www.gloucester-ma.gov](http://www.gloucester-ma.gov) then select “Government”, then select “Boards & Commissions” then “Community Preservation Committee.” If you need a copy in Word format contact Debbie Laurie, Project Manager at [dlaurie@gloucester-ma.gov](mailto:dlaurie@gloucester-ma.gov).
- All applicants must complete a **Project Eligibility Determination Form** no later than 45 days prior to the project application filing deadline.
- Project funding applications should specify the funding period, not to exceed three years.
- If submitting multiple applications, the applicant should indicate a priority ranking of the projects.
- An application for support of a project that requires preservation guarantees should specifically address how such a guarantee will be secured. CPC is available as a resource.
- For Historic Resources, documentation that the building, structure, vessel, real property, document or artifact is listed on the state register of historic places or has been determined by the local historic commission to be significant in the history, archeology, architecture or culture of a city or town. You may contact: Debbie Laurie for further information or questions.
- Applicants should include itemized project budgets, with details describing each item and its estimated cost.
- Applicants should obtain at least two professionally prepared detailed quotes for project costs whenever possible. If such quotes are not available, detailed cost estimates prepared by a qualified professional may be used provided the basis of the estimates is fully explained.
- The property owner, when applicable, should sign applications.

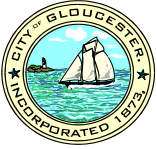
- If the funding application is part of a larger project, the applicant should include the total project cost.

## THE COMMUNITY PRESERVATION COMMITTEE

Members of the Committee are available to guide you with further information regarding the Community Preservation Act, the Community Preservation Plan priorities, and the funding process.

<u>Member</u>	<u>Representing</u>	<u>Contact information</u>
Sandy Dahl Ronan	Co-Chair At-large	<a href="mailto:famtherapy@verizon.net">famtherapy@verizon.net</a>
J.J. Bell	Co-Chair At-large	<a href="mailto:j.j.bell@hotmail.com">j.j.bell@hotmail.com</a>
Tom O'Keefe	Historical Commission	<a href="mailto:tomokeefe3@comcast.net">tomokeefe3@comcast.net</a>
John Feener	Conservation Commission	<a href="mailto:thetreedoc@me.com">thetreedoc@me.com</a>
Bill Dugan	Housing Authority	<a href="mailto:wdugan4@yahoo.com">wdugan4@yahoo.com</a>
Karen Gallagher	Planning Board	<a href="mailto:kag1107@comcast.net">kag1107@comcast.net</a>
Charles Crowley	Open Space & Recreation	<a href="mailto:charlie@topdogstudio.com">charlie@topdogstudio.com</a>
Scott Smith	Community At-large	<a href="mailto:scott.smith@nemoves.com">scott.smith@nemoves.com</a>
Stacy Randell	Community At-large	<a href="mailto:srandell1@verizon.net">srandell1@verizon.net</a>

You may also contact the Community Development Department, Grants Office at 978-282-3027.



# CITY OF GLOUCESTER COMMUNITY PRESERVATION ACT ELIGIBILITY DETERMINATION FORM

The purpose of this form is to make sure that all project applications applying for Community Preservation Act funding meet basic requirements of CPA. **This form must be approved in order for an application to be accepted.**

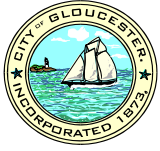
Project Title:	
Project Sponsor/Organization:	
Contact Name:	
Mailing Address:	
Daytime phone #:	Fax #:
E-mail address:	

CPA Program Area:	<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Open Space  <input type="checkbox"/> Community Housing         </div> <div> <input type="checkbox"/> Historic Preservation  <input type="checkbox"/> Recreation         </div> </div>
Project Purpose:	<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Acquisition  <input type="checkbox"/> Support         </div> <div> <input type="checkbox"/> Creation  <input type="checkbox"/> Rehabilitation/Restoration         </div> <div> <input type="checkbox"/> Preservation         </div> </div>

Project Summary: Please provide a brief description of the project.

Estimated total budget for project:	
Estimated CPA funding request:	

**For CPC Use** Eligible: \_\_\_\_\_ Not Eligible: \_\_\_\_\_ Date: \_\_\_\_\_ Reviewer: \_\_\_\_\_



# CITY OF GLOUCESTER COMMUNITY PRESERVATION COMMITTEE PROJECT APPLICATION COVER SHEET

## I: Project Information

Project Title:

Magnolia Historical Museum at Blynman Schoolhouse restoration

Project Summary:

The electrical system in the Blynman Schoolhouse is outdated and dangerous. In order to complete the restoration of the Blynman Schoolhouse to become the Magnolia Historical Museum and Cultural Center, the system must be updated to code. The system should include, electrical service into the building, emergency lighting, room lighting, fire alarm system and radio box from fire department.

Estimated start date: October 2014 Estimated completion date: February 2015

CPA Program Area:

- |  |   |
|--|---|
| <input type="checkbox"/> Open Space        | <input checked="" type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Community Housing | <input type="checkbox"/> Recreation                       |

## II: Applicant/Developer Information

Contact Person with primary responsibility for project: Lisa Ramos

Organization (if applicable): Magnolia Historical Society Inc.

Mailing Address: 46 Magnolia Avenue, Gloucester, MA 01930

Daytime phone #: 978-290-3005

Fax #:

E-mail address: lisa@magnoliahistoricalsociety.com

Federal ID# 222619953

## III: Budget Summary

Total budget for project: 137,000

CPA funding request: 108,000

CPA request as percentage of total budget: 78%

**Applicant's Signature:** \_\_\_\_\_

**Printed name and Position:** \_\_\_\_\_





# CPA APPLICATION INSTRUCTIONS

**1. Please read the entire CPA Application & Review Process before beginning.**

**2. Complete the Application Cover Sheet.**

**3. Include the following information:**

- **Narrative:** A description of the project and, when applicable, of the property involved and its proposed use. Include responses to the following questions:
  - What Community Preservation criteria – both general and category specific – does this project meet?
  - What community need(s) does this project serve? If the project serves multiple needs and populations, please describe them. If the project serves a population that is currently underserved, please describe.
  - What specific guarantees will assure the long-term preservation of the project? Describe the nature and level of community support for the project.
  - How will the success of this project be measured?
  - Is ongoing maintenance and upkeep required? If yes, please explain how this will be accomplished.

- **Project Budget:** Please provide the total budget for this project, including detailed costs and specifically how CPA funds will be spent (See Budget Form). All items of expenditure must be clearly identified. Include project quotes, or show why this is not appropriate or feasible. List any additional funding sources, either committed or under consideration. Include commitment letters if available.

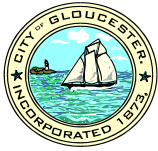
If the application submission is for a community housing project, please submit a development budget and a sources and uses budget. Also, community housing home ownership projects shall include an affordability analysis, and community housing rental projects shall include a five-year operating budget.

- **Multi-Year Funding:** If the project is expected to continue over more than one year, or if bonding the project is anticipated, please provide annual funding requirements.
- **Project Timeline:** Explain the various steps of the project and when they will be completed. (See Project Schedule Form).
- **Feasibility:** List and explain all further actions or steps that will be required for completion of the project, such as environmental assessments, zoning or other permits and approvals, agreement on terms of any required conservation, affordability or historic preservation agreements, subordination agreements, and any known or potential barriers or impediments to project implementation.
- **Maps:** USGS topographical map, assessors map, or other map as appropriate, showing location of the project.
- **Visual materials:** Photographs, renderings or design plans of the site, building, structure or other subject for which the application is made.
- **Applicant Qualifications:** Explain your ability to carry out the project.

**Any questions, feel free to contact us.**

**4. Include the following attachments, if applicable and available:**

- Record plans of the property
- Natural resource features. (Please include resources subject to the Wetlands Protection Act.)
- Zoning (district, dimensional and use regulations as applies to the land)
- Inspection reports
- 21E Reports and other environmental assessment reports
- For historic properties or artifacts, Massachusetts Historic Commission Historic inventory sheet indicating a National Register designation or a determination made by the Gloucester Historical Commission.
- Historic structure report or existing condition reports
- Names and addresses of project architects, contractors, and consultants
- Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed
- Proof of specific site control, or plan to obtain site control such as Purchase and Sale Agreement, option, or deed
- Evidence that the proposed site is free of hazardous materials or that there is a remediation plan in place. CPA funds can be used for mitigation
- Letters of support sufficient to document clear endorsement by community members and groups, and where appropriate, by municipal boards, committees and commissions, and departments
- Any other information useful for the Committee in considering the project



# CITY OF GLOUCESTER COMMUNITY PRESERVATION COMMITTEE APPLICATION EVALUATION CRITERIA

## GENERAL EVALUATION CRITERIA

All projects must be eligible for the Community Preservation Act (CPA) funding according to the requirements described in the CPA legislation (Chapter 44B of Massachusetts General Laws). The Gloucester Community Preservation Committee gives preference to proposals which address as many of the following general criteria as possible:

1. Consistent with various plans which are relevant to and utilized by the City regarding Open Space, Recreation, Historic Resources and Affordable Housing.
2. Preserve and enhance the essential character of the City.
3. Protect resources that would otherwise be threatened.
4. Serve more than one CPA purpose or demonstrate why serving multiple needs are not feasible.
5. Demonstrate practicality and feasibility, and that the project can be implemented within budget and on schedule.
6. Produce an advantageous cost/benefit value.
7. Leverage additional public and/or private funds (e.g. qualify the project for additional grants from other sources) or receive partial funding from other sources and/or voluntary contributions of goods or services.
8. Preserve or improve use or intended purpose of City-owned city assets.
9. Receive endorsement by other municipal boards, committees and commissions or departments and broad-based support from community members.

## CATEGORY SPECIFIC CRITERIA

In addition to the general evaluation criteria outlined in the overview section, the Community Preservation Act funds the community preservation interests in Open Space, Historic Preservation, Affordable Housing and Recreation.

1. **Open Space** proposals will be evaluated according to the following specific criteria:
  - Permanently protect important wildlife habitat, particularly areas that include:
    - locally significant biodiversity;
    - variety of habitats with a diversity of geologic features and types of native and noninvasive vegetation;
    - Threatened or endangered habitat or species of plant or animal.
  - Preserve active agricultural use.
  - Provide opportunities for passive recreation and environmental education.
  - Protect or enhance wildlife corridors, promote connectivity of habitat or prevent fragmentation of habitats.
  - Provide connections with existing trails or protected open space.
  - Acquire land or easements for potential trail linkages.
  - Preserve scenic views.
  - Border a scenic road.

- Protect drinking water quantity and quality.
- Provide flood control/storage.
- Preserve and protect important surface water bodies, including streams, wetlands, vernal pools, riparian zones or Areas of Critical Environmental Concern (ACEC).
- Buffer for protected open space, or historic resources.

**2. Historic Preservation** proposals which address as many of the following criteria as possible will receive preference for funding:

- Protect, preserve, enhance, restore and/or rehabilitate historic, cultural, architectural or archaeological resources of significance, especially those that are threatened.
- Protect, preserve, enhance, restore and/or rehabilitate city-owned properties, features or resources of historical significance.
- Protect, preserve, enhance, restore and/or rehabilitate the historical function of a property or site.
- Demonstrates a public benefit.
- Ability to provide permanent protection for the historic resource.

**3. Affordable Housing** proposals which address as many of the following criteria as possible will receive preference for funding:

- Contribute to the goal of 10% affordability as defined by chapter 40B of Massachusetts General Laws.
- Promote a socioeconomic environment that encourages a diversity of income.
- Provide housing that is harmonious in design and scale with the surrounding community.
- Intermingle affordable and market rate housing at levels that exceed state requirements for percentage of affordable units pursuant to chapter 40B.
- Ensure long-term affordability.
- Address the needs of a range of qualified households, including very low, low and low-to moderate income families and individuals.
- Provide for individuals with special needs and who require assisted living.
- Provide affordable rental and affordable ownership opportunities.
- Promote use of existing buildings or construction on previously-developed or city-owned sites.
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**4. Recreation** proposals will be evaluated with the following criteria:

- Address a need or objective identified in a City Plan
- Serve a significant number of residents
- Preserve and expand the range of recreational opportunities available to city residents of all ages and abilities, including those at-risk of obesity as identified through the Get Fit Gloucester! Community Action Plan.
- Promote recreational activities.
- Maximize the use of land already owned by city
- Promote the creative use of railway and other corridors to create safe and healthful non-motorized transportation opportunities.
- Preserve and enhance the natural wildlife habitat functions and values of open space for wildlife.

# CITY OF GLOUCESTER

## COMMUNITY PRESERVATION COMMITTEE

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### PROJECT SCHEDULE

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Please provide a project timeline below, noting all project milestones. Please note that because the City Council must approve all appropriations, CPA funds may not be available until up to two months following Committee approval.

	Activity	Estimated Date
<b>Project Start Date:</b>	<b>Materials ordered</b>	<b>October 2014</b>
<b>Project Milestone:</b>	<b>Service, panel installed, wires run</b>	<b>December 2014</b>
<b>50% Completion Stage:</b>	<b>LED lighting installed, National grid lighting installed.</b>	<b>January 2015</b>
<b>Project Milestone:</b>	<b>Emergency lighting and fire alarm installed</b>	<b>February 2015</b>
<b>Project Completion Date:</b>	<b>Upgraded electrical system in use.</b>	<b>February 2015</b>

Please note: If the project is approved, the recipient must provide progress reports to the Committee on a quarterly basis (by the 15<sup>th</sup> of January, April, July and October) depending on the length of the project. The recipient shall also provide an interim report at the 50% Completion Stage, along with budget documentation.

Please feel free to photocopy or re-create this form if more room is needed.

# CITY OF GLOUCESTER

## COMMUNITY PRESERVATION COMMITTEE

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### BUDGET FORM

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**Project Name:** Magnolia Historical Museum restoration

**Applicant:** Magnolia Historical Society Inc.

SOURCES OF FUNDING		
Source	Amount	
Community Preservation Act Fund	\$108000	
Magnolia Historical Society Inc	\$20000	Fundraising
Other donors	\$9000	
<b>Total Project Funding</b>	<b>\$137000</b>	
PROJECT EXPENSES		
Expense	Amount	Please indicate which expenses will be funded by CPA Funds:
Electrical	\$100,000	CPA
	\$5,000	MHS
Led lighting for museum room	\$8,000	CPA
Sheetrock, plaster, interior painting, moldings	\$15,000	MHS
Floor refinishing	\$9,000	Donors
<b>Total Project Expenses</b>	<b>\$137,000</b>	

Please feel free to photocopy or re-create this form if more room is needed.

## APPENDIX I: CPA INFORMATION GUIDE

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- As part of the Community Preservation Act in Gloucester, the City Council created the Community Preservation Committee. The ordinance which the Council approved can be found on the City's website, [www.gloucester-ma.gov](http://www.gloucester-ma.gov)
- The Community Preservation Coalition, of which the Gloucester CPC is a member, is an alliance of open space, affordable housing, and preservation organizations that works with municipalities to help them understand, adopt, and implement the CPA. The Coalition website has a wide variety of information, including links to the other CPA communities. See <http://www.communitypreservation.org/index.cfm>. Furthermore, the "Links" page offers helpful CPA related connections to many agencies and organizations - <http://www.communitypreservation.org/links.cfm>
- It is important for every applicant, and useful for anyone else interested in the Community Preservation Act, to read the actual legislation. (Chapter 44B, Commonwealth of Massachusetts General Laws.)  
<http://www.mass.gov/legis/laws/mgl/gl-44b-toc.htm>
- There are a number of relevant Planning documents that provide guidance on values and priorities that have been identified by the citizens of Gloucester. These include:
  - "A Comprehensive Plan, the Community Development Plan for the City of Gloucester, 2001"
  - "The City of Gloucester's Open Space Plan, 2010"
  - "The Harbor Plan/Designate Port Area Master Plan 2009"
  - "City of Gloucester Housing Element 2004"
  - "City of Gloucester Consolidated Plan/ Annual Action Plan, 2010 – 2015"
  - "A Preservation Plan for the City of Gloucester, 1990"

These Plans can be found on the City's website, [www.gloucester-ma.gov](http://www.gloucester-ma.gov), **and/or** at the City's Community Development Department, 3 Pond Road.

## APPENDIX II: GLOSSARY OF TERMS

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### TERMS FROM THE MASSACHUSETTS COMMUNITY PRESERVATION ACT

As used in this act, the following words shall, unless the context clearly indicates a different meaning, have the following meanings:

**"Acquire"**, obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. "Acquire" shall not include a taking by eminent domain, except as provided in this chapter.

**"Annual income"**, a family's or person's gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

**"Capital Improvement"**, reconstruction or alteration of real property that: (1) materially adds to the value of the real property or appreciably prolongs the useful life of the real property; (2) becomes part of the real property or is permanently affixed to the real property so that removal would cause material damage to the property or article itself; and (3) is intended to become a permanent installation or is intended to remain there for an indefinite period of time.

**"Community housing"**, low and moderate income housing for individuals and families, including low or moderate income senior housing.

**"Community preservation"**, the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic resources and the creation and preservation of community housing.

**"Community preservation committee"**, the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

**"Community Preservation Fund"**, the municipal fund established under section 7.

**"CP"**, community preservation.

**"Historic resources"**, a building, structure, vessel, real property, document or artifact that is listed on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.



**"Legislative body"**, the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

**"Low income housing"**, housing for those persons and families whose annual income is less than 80 per cent of the area wide median income. The area wide median income shall be the area wide median income as determined by the United States Department of Housing and Urban Development.

**"Low or moderate income senior housing"**, housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

**"Maintenance"**, incidental repairs which neither materially add to the value of the property nor appreciably prolong the property's life, but keep the property in a condition of fitness, efficiency or readiness.

**"Moderate income housing"**, housing for those persons and families whose annual income is less than 100 per cent of the area wide median income. The area wide median income shall be the area wide median income as determined by the United States Department of Housing and Urban Development.

**"Open space"**, shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

**"Preservation"**, protection of personal or real property from injury, harm or destruction.

**"Real property"**, land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

**"Real property interest"**, a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condition broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

**"Recreational use"**, active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. "Recreational use" shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.

**"Rehabilitation"**, capital improvements, or the making of extraordinary repairs to historic resources, open spaces, lands for recreational use and community housing for the purpose of making such historic resources, open spaces, lands for recreational use and community housing functional for their intended uses, including, but not limited to improvements to comply with the Americans with Disabilities Act and other federal, state or local building or access codes; provided that with respect to historic resources, "rehabilitation" shall comply with the Standards for Rehabilitation stated in the United States Secretary of the Interior's Standards for the Treatment of Historic Properties codified in 36 C.F.R. Part 68; and provided further, that with respect to land for recreational use, "rehabilitation" shall include the replacement of playground equipment and other capital improvements to the land or facilities thereon which make the land or the related facilities more functional for the intended recreational use.

"Support of community housing", shall include, but not limited to, programs that provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing or to an entity that owns, operates or manages such housing, for the purpose of making housing affordable.

## APPENDIX III: ALLOWABLE USE TABLE

### COMMUNITY PRESERVATION FUND ALLOWABLE SPENDING PURPOSE (G.L. c. 44B, § 5)

	OPEN SPACE	HISTORIC RESOURCES	RECREATIONAL LAND	COMMUNITY HOUSING
<b>DEFINITIONS</b> (G.L. c. 44B, § 2)	Land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grass lands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use	Building, structure, vessel, real property, document or artifact listed on the state register of historic places or determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of the city or town	Land for active or passive recreational use including, but not limited to, the use of land for community gardens, trails and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field  Does <u>not</u> include horse or dog racing or the use of land for a stadium, gymnasium or similar structure	Housing for low and moderate income individuals and families, including low or moderate income seniors  Moderate income is less than 100% and low income is less than 80%, of US HUD Area Wide Median Income
<b>ACQUISITION</b> Obtain property interest by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. Only includes eminent domain taking as provided by G.L. c. 44B	Yes	Yes	Yes	Yes
<b>CREATION</b> To bring into being or cause to exist. <i>Seideman v. City of Newton</i> , 452 Mass. 472 (2008)	Yes	NA	Yes	Yes
<b>PRESERVATION</b> Protect personal or real property from injury, harm or destruction	Yes	Yes	Yes	Yes
<b>SUPPORT</b> Provide grants, loans, rental assistance, security deposits, interest-rate write downs or other forms of assistance directly to individuals and families who are eligible for community housing, or to entity that owns, operates or manages such housing, for the purpose of making housing affordable	NA	NA	NA	Yes, includes funding for community's affordable housing trust
<b>REHABILITATION AND RESTORATION</b> Make capital improvements, or extraordinary repairs to make assets functional for intended use, including improvements to comply with federal, state or local building or access codes or federal standards for rehabilitation of historic properties	Yes, if acquired or created with CP funds	Yes	Yes	Yes, if acquired or created with CP funds

